

A local planning and zoning public hearing on the merits of a proposed residential subdivision, Ledyard, CT.



the State Archaeologist or State Historic Preservation Office must be made within two working days after a subdivision's preliminary review. The determination of need for an archeological survey is then made by professional archeologists, rather than by members of a land use board subjected to local political pressures. An outside professional opinion reduces the chance that opponents of a development can misuse words such as "archeology" to

proposed for private development or municipal capital projects.

- Preserve archeological sites *in situ* rather than excavate or salvage identified remains. Developers are encouraged to realign or relocate proposed roads, buried utilities and buildings, or to dedicate identified archeological sites to parks and open space.
- List additional properties on the National Register. Although most in Ledyard will be standing 18th- and 19th-century homes and farmsteads, this creates greater public awareness and broader respect for local preservation initiatives.
- Obtain Certified Local Government designation from the Connecticut Historical Commission and National Park Service, thus becoming eligible for matching federal grants for local preservation activities such as surveys and preparation of National Register nominations.

Ledyard's Subdivision Regulations—Enforcing the Local Comprehensive Plan

Eighteen towns in Connecticut have revised local subdivision regulations and or local site plan review procedures in order to specifically identify and protect significant archeological and historic sites. Ledyard's regulations are noteworthy for their clarity and direction to developers and their advocacy of *in situ* preservation wherever possible.

Adoption of Ledyard's regulations, however, came only after a contentious public hearing at which several local developers claimed that archeological surveys would be used by their opponents to slow down an already lengthy review process. To satisfy these concerns, the Planning Board's final regulations specify that a referral of plans to

throttle or delay an unpopular project.

In order to prevent a court challenge based on vagueness, another key element of Ledyard's regulations is a precise definition of "cultural resources:"

CULTURAL RESOURCES: consists of historic and prehistoric archeological sites and standing structures; cemeteries, human burials, human skeletal remains, and associated funerary objects; and distributions of cultural remains and artifacts.

If the State Archeologist or State Historic Preservation Office determines that a professional archeological survey is warranted, standards to be followed are contained in the Connecticut Historical Commission's Environmental Review Primer for Connecticut's Archeological Resources. It is the developer's responsibility to pay for this professional assessment, just as he would pay for a project's architect, civil engineer, or surveyor.

The final section of Ledyard's subdivision regulations outline the contents of a management plan to be prepared by a professional archeological consultant. In addition to a standard investigative report that contains research methodology and a description of discovered sites and features, the management plan calls for:

A description of measures to be undertaken to mitigate adverse impacts of construction activities on identified cultural resources. This may include an estimate of mitigation costs and time required for more extensive investigations. Measures may include open space dedication; conservation easements; redesign or relocation of roads, drainage features or buildings so as to minimize adverse impacts;

